IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 616 OF 2004

IN

SUMMARY SUIT NO. 601 OF 2004

Rajnikant R. Shah .....**Plffs.**
vs.
The Madhavpura Mercantile
Co.op bank Ltd .....**Defnds.**

K.H. Mody i/b. Haridas and Co. for the plffs.

Rekha Tawde i/b. M.V. Kini and co. for the defnds.

CORAM: S.U. KAMDAR, J.

DATE : 20th September, 2005.

P.C. :.

1. Learned counsel for the defendant states that the defendant bank is under the moratorium and reconstruction scheme of the RBI under the banking regulations act. In that view of the matter the learned counsel for the plaintiffs seeks leave to

withdraw the summons for judgment with liberty to take out fresh summons for judgment after bringing the liquidator on record and apply for lodging his claim with the liquidator as he may deem fit and proper. Summons for judgment dismissed wit the aforesaid liberty. The defendants are directed to furnish all the details of the said proceedings by the RBI within one week from today.

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